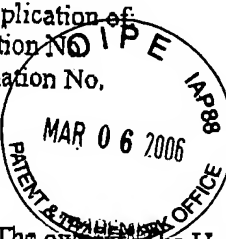


TERMINAL DISCLAIMER TO OBVIATE A
DOUBLE PATENTING REJECTION
OVER A PRIOR PATENT

Docket Number

C103970021US01

In re Application of
Application No. **10/719,493**
Confirmation No.
Filed:
For:



Arthur M. Krieg *et al.*

10/719,493

3218

November 21, 2003

METHODS OF TREATING CANCER USING
IMMUNOSTIMULATORY OLIGONUCLEOTIDES

The owner, The United States of America as Represented by the Secretary, Department of Health and Human Services, of 1/3rd interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156 and §173 as presently shortened by any terminal disclaimer, of prior Patent No. 6,653,292. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

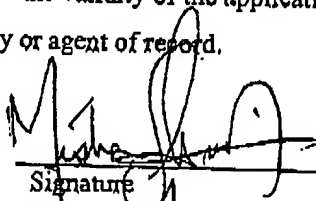
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☐ The undersigned is an attorney or agent of record.


Signature

1 MARCH 2006
Date

Misha SHMILOVICH
Typed or Printed Name

X Terminal disclaimer fee under 37 CFR 1.20(d) included.

*Statement under 37 CFR. 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP §324.

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PTO/SB/96 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: University of Iowa Research Foundation et al.Application No./Patent No.: 10/719,493 Filed/Issue Date: November 25, 2003Entitled: METHODS OF TREATING CANCER USING IMMUNOSTIMULATORY OLIGONUCLEOTIDESUniversity of Iowa Research Foundation, a University
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

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The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____ ,
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- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

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[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature_____
Date_____
Printed or Typed Name_____
Telephone Number_____
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Dated: March 1, 2006Signature: Helen C. Lockhart (Helen C. Lockhart)



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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: University of Iowa Research Foundation et al.Application No./Patent No.: 6653292 Filed/Issue Date: November 25, 2003Entitled: METHODS OF TREATING CANCER USING IMMUNOSTIMULATORY OLIGONUCLEOTIDES

University of Iowa Research Foundation , a University
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

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